

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

v.

Order of Continuance

VICTOR A. SANCHEZ-SANTA,

20 Mag. 6295

Defendant.

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Upon the application of the United States of America and the affirmation of T. Josiah Pertz, Assistant United States Attorney for the Southern District of New York, it is found that the defendant was charged with violating 18 U.S.C. §§ 844(f) and 2, in a complaint dated June 16, 2020, and was taken into federal custody on June 18, 2020;

It is further found that the defendant was presented before Magistrate Judge James L. Cott on June 18, 2020, and was ordered detained;

It is further found that Mark Gombiner, Esq., counsel for defendant, and Assistant United States Attorney T. Josiah Pertz have been engaged in, and are continuing, discussions concerning a possible disposition of this case;

It is further found that the Government has requested a continuance of 30 days to engage in further discussions with counsel about the disposition of this case and that the defendant, through counsel, has consented that such a continuance may be granted for that purpose and has specifically waived his right to be charged in an indictment or information for an additional 30 days; and

It is further found that the granting of such a continuance best serves the ends of justice and outweighs the best interests of the public and the defendant in a speedy trial; and therefore it is

ORDERED that the request for a continuance pursuant to 18 U.S.C. § 3161(h)(7)(A) is hereby granted until August 19, 2020, and that a copy of this Order and the affirmation of Assistant United States Attorney T. Josiah Pertz be served on this date on counsel for the defendant by the United States Attorney's Office.

Dated: New York, New York

~~July 13, 2020~~

July 20, 2020



HONORABLE BARBARA MOSES
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

v.
**Affirmation in Support of
Application for Order of Continuance**

VICTOR A. SANCHEZ-SANTA,

20 Mag. 6295

Defendant.

-----X

State of New York)
County of New York : ss.:
Southern District of New York)

T. Josiah Pertz, pursuant to Title 28, United States Code, Section 1746, hereby declares under penalty of perjury:

1. I am an Assistant United States Attorney in the Southern District of New York. I submit this affirmation in support of an application for an order of continuance of the time within which an indictment or information would otherwise have to be filed, pursuant to 18 U.S.C. §3161(h)(7)(A).

2. The defendant was charged in a complaint dated June 16, 2020, with violating 18 U.S.C. §§ 844(f) and 2. The defendant was taken into federal custody on June 18, 2020, and was presented before Magistrate Judge James L. Cott on June 18, 2020. The defendant was represented by Mark Gombiner, Esq. and ordered released on bond.

3. At the initial presentment, defense counsel consented to a waiver of her client's right pursuant to Rule 5.1 of the Federal Rules of Criminal Procedure to a preliminary hearing within 14 days of the initial appearance. Accordingly, under the Speedy Trial Act the Government initially had until July 20, 2020, within which to file an indictment or information.

4. Defense counsel and I have had discussions regarding a possible disposition of this case.

The negotiations have not been completed and we plan to continue our discussions, which have been made substantially more difficult by the current public health situation, but do not anticipate a resolution before the deadline under the Speedy Trial Act expires on July 20, 2020.

5. Therefore, the Government is requesting a 30-day continuance until August 19, 2020, to continue the foregoing discussions and reach a disposition of this matter. On July 10, 2020, defense counsel consented to this request.

6. For the reasons stated above, the ends of justice served by the granting of the requested continuance outweigh the best interests of the public and defendant in a speedy trial.

Dated: New York, New York
July 13, 2020

/s/ T. Josiah Pertz
T. Josiah Pertz
Assistant United States Attorney
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